

AN ACT

ENTITLED, An Act to revise certain provisions regarding the licensing of estheticians.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-15-2.3 be amended to read as follows:

36-15-2.3. Any person desiring to practice esthetics in this state as an esthetician shall apply to the commission to take the esthetics examination. The application shall:

- (1) Contain the information required by § 36-15-15;
- (2) Contain proof that the applicant has completed the required hours of education, as established by rules pursuant to § 36-15-13, or equivalent credit hours in an approved and licensed cosmetology or esthetics school; and
- (3) Be accompanied by the fee required in this chapter.

Section 2. That § 36-15-13 be amended to read as follows:

36-15-13. The commission may adopt rules pursuant to chapter 1-26 pertaining to the following:

- (1) Application requirements for any license or permit issued pursuant to this chapter;
- (2) Examinations;
- (3) Reports of students' education and work performed;
- (4) Minimum standards and requirements for cosmetology, nail technology, and esthetics salons and schools;
- (5) Minimum standards for plumbing, electrical, physical, and sanitary conditions for the health and safety of persons utilizing cosmetology, nail technology, or esthetics salons or schools;
- (6) The professional conduct of licensees;
- (7) The reinstatement of lapsed licenses and lapsed renewal pursuant to § 36-15-20.1;
- (8) The fee for a lapsed license and lapsed renewal pursuant to § 36-15-20.1;

- (9) The course and education requirements received by transfer students pursuant to § 36-15-34;
- (10) The textbooks, educational material, and the general course of study for schools and for cosmetology salons and nail salons having apprentices pursuant to § 36-15-46;
- (11) The progress and education received by an apprentice pursuant to 36-15-48;
- (12) The fees for all licenses, permits, and renewals;
- (13) Minimum standards for the use of chemicals or any mechanical or electrical apparatus or appliance;
- (14) Amount of work experience of an out-of-state licensed applicant that may be used as a substitute for the education requirement pursuant to §§ 36-15-17, 36-15-17.1, and 36-15-2.3;
- (15) Inspection and reinspection of individual licensees, salons, and schools;
- (16) Administration and duties of the commission; and
- (17) Minimum hours of education for esthetics licensing.

Section 3. That § 36-15-29 be amended to read as follows:

36-15-29. Any person desiring to conduct a cosmetology, nail technology, or esthetics school for any of the practices of cosmetology, as applicable, shall apply to the commission for a license. The commission shall issue the license if:

- (1) The applicant completes the application and provides any required documentation;
- (2) The application is accompanied by the fee required in this chapter;
- (3) The applicant has no violations with another cosmetology board;
- (4) The education offered is not less than twenty-one hundred hours for a cosmetology program or not less than four hundred hours for a nail technician program or not less than the hours established by rules pursuant to § 36-15-13 for an esthetician license or their

respective equivalent credit hours; and

- (5) All requirements established by rules adopted pursuant to this chapter are met.

An Act to revise certain provisions regarding the licensing of estheticians.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 68

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 68

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State